

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

ERIC ROBINSON,

Plaintiff,

vs.

STATE OF NEBRASKA,

Defendant.

8:17CV204

**MEMORANDUM
AND ORDER**

This matter is before the court on two motions for reconsideration filed by Plaintiff on October 27, 2017. ([Filing No. 45](#); [Filing No. 46](#).) On October 19, 2017, Plaintiff filed a motion titled “Praecipies for the Bill of Exceptions” which the court construed as a motion for copies due to Plaintiff’s request for “copies of all orders and memorandums.” ([Filing No. 39](#).) The court denied that motion ([Filing No. 41](#)), and Plaintiff now asks the court to reconsider.

In the present motions, Plaintiff appears to object to the court’s denial of his motion for “Praecipies for the Bill of Exceptions” and asserts that the court incorrectly construed it as a motion for copies. Plaintiff asserts that, by denying his motion, the court has “mislead the record of 8:17CV204” and the “record is a miscarriage of Justice.” ([Filing No. 45 at CM/ECF p.1](#); [Filing No. 46 at CM/ECF p.4](#).) Plaintiff appears to view the court’s denial of his “Praecipies for the Bill of Exceptions” to mean that the court would not provide copies of the court records in this case to the Eighth Circuit Court of Appeals. The court did not intend any such meaning and simply denied what it construed as Plaintiff’s request for copies of all orders and memorandums in the case for Plaintiff’s own use.

The Court takes this opportunity to inform Plaintiff that the entire record in this case will be available to the Eighth Circuit Court of Appeals for review on

appeal. (See [Filing No. 44.](#)) Rule 30A(a)(2) of the [Eighth Circuit Local Rules](#) provides that

In all pro se appeals, the entire district court record is available for review. If the record is available in electronic format, the court will review the electronic version of the record. At the time a pro se notice of appeal is filed, the clerk of the district court must transmit to the clerk of this court the originals or paper copies of those portions of the original record which are not available through PACER, such as documentary exhibits, administrative records and state court files.

All documents submitted by Plaintiff in this case are contained within the court record and are available for review by the Court of Appeals. It was not necessary for Plaintiff to request that copies of the court records be provided to the Court of Appeals, and the court's denial of Plaintiff's motion for copies ([Filing No. 41](#)) did not prevent any records from being provided to the Court of Appeals. Accordingly,

IT IS THEREFORE ORDERED that Plaintiff's motions for reconsideration ([Filing No. 45](#); [Filing No. 46](#)) are denied.

Dated this 30th day of October, 2017.

BY THE COURT:

s/ Richard G. Kopf
Senior United States District Judge